

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GALAXY GAMING OF OREGON, LLC,
a New Mexico limited liability
company; GALAXY GAMING, LLC, a
Nevada limited liability company;
GALAXY GAMING, INC., a Nevada
Corporation, et al.; GALAXY GAMING
OF ARIZONA, LLC, a New Mexico limited
liability company; GALAXY GAMING OF
BRITISH COLUMBIA, LLC, a New Mexico
limited liability company; GALAXY
GAMING OF CALIFORNIA, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF CONNECTICUT, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF ILLINOIS, LLC, a New Mexico
limited liability company; GALAXY
GAMING OF INDIANA, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF IOWA, LLC, a New Mexico
limited liability company; GALAXY
GAMING OF KANSAS, LLC, a New Mexico
limited liability company; GALAXY
GAMING OF MANITOBA, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF MICHIGAN, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF MISSISSIPPI, LLC, a New
Mexico limited liability company; GALAXY
GAMING OF MISSOURI, LLC, a New
Mexico limited liability company; GALAXY

Civil No. 07-1275-AA
ORDER

GAMING OF NEVADA, LLC, a Nevada limited liability company; GALAXY GAMING OF NEW JERSEY, LLC, a New Mexico limited liability company; GALAXY GAMING OF NEW YORK, LLC, a New Mexico limited liability company; GALAXY GAMING OF NORTH DAKOTA, LLC, a New Mexico limited liability company; GALAXY GAMING OF NOVA SCOTIA, LLC, a New Mexico limited liability company; GALAXY GAMING OF OKLAHOMA, LLC, a New Mexico limited liability company; GALAXY GAMING OF ONTARIO, LLC, a New Mexico limited liability company; GALAXY GAMING OF SOUTH DAKOTA, LLC, a New Mexico limited liability company; GALAXY GAMING OF WASHINGTON, LLC, a New Mexico limited liability company; GALAXY GAMING OF WISCONSIN, LLC, a New Mexico limited liability company; ROCKLAND RIDGE CORPORATION, a Nevada corporation; ALAMEDA ENTERPRISES, LLC, a New Mexico limited liability company; PRIMETIME PLAYER MANAGEMENT, LLC, a Florida limited liability company; ROBERT B. SAUCIER; THE ALIXANDRA SAUCIER REGULATORY TRUST, a Nevada spendthrift trust; JEFFERY J. WHITEHEAD, AS TRUSTEE OF THE ALIXANDRA SAUCIER REGULATORY TRUST; and ALIXANDRA J. SAUCIER,

Plaintiffs,

vs.

CHARLES BURDICK, ALFRED C. BATHKE,
and DOES I-C,

Defendants.

AIKEN, Judge:

This court earlier granted in part and denied in part

defendants' motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). Plaintiffs now move to dismiss this case pursuant to Fed. R. Civ. P. 41(a)(2). Specifically, plaintiffs request the court dismiss all federal claims with prejudice and decline to exercise supplemental jurisdiction and dismiss all state law claims without prejudice. Defendants do not object to dismissal of the federal claims with prejudice however they do object to this court declining to exercise jurisdiction and dismissing the state law claims without prejudice.

Based on the Opinion and Order filed March 17, 2008 (doc. 25), plaintiffs' motion to dismiss pursuant to Fed. R. Civ. P. 41 (doc. 79) is granted as follows: plaintiffs' federal claims are dismissed with prejudice; and plaintiffs' state law claims are dismissed without prejudice. Further, all pending motions, including doc. nos. 50, 57, 59 and 61, are denied as moot. IT IS SO ORDERED.

Dated this 29 day of January 2009.

/s/ Ann Aiken
Ann Aiken
United States District Judge